Case: 1:24-mj-00044
Assigned To : Harvey, G. Michael
Assign. Date : 2/2/2024
Description: Complaint W/ Arrest Warrant

STATEMENT OF FACTS

Your affiant, [redacted] to the Federal Bureau of Investigation's Washington Field Office, Joint Terrorism Task Force (JTTF), which specializes in domestic terrorism. In my duties as a TFO-SA, I have gained training and experience in interviewing and interrogation techniques, arrest procedures, search warrant applications, the execution of searches and seizures, the exploitation of lawfully obtained evidence and data, and various other procedures. As an FBI TFO, I am authorized by law or by a government agency to engage in or supervise the prevention, detection, investigation, or prosecution of violations of Federal criminal laws.

Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. Many of my investigations involve the use of technology, analyzing online and telephonic contacts, and researching suspects' online activity and footprints. I have become familiar with the day-to-day operations of individuals using social media and email accounts to communicate and coordinate criminal activities. I have assisted with numerous investigations of crimes which involve the use of social media, email, and the internet as a means of communication. I am authorized to investigate violations of the laws of the United States and to execute search and seizure warrants issued under the authority of the United States.

Background – The U.S. Capitol on January 6, 2021

The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification were allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, around 2:00

p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

Identification of KEVIN ALSTRUP

Photographs and videos of hundreds of persons inside the U.S. Capitol on January 6th without authority to be there were disseminated via social media and other open-source online platforms. Those persons included a middle-aged white male of medium height and build, wearing dark clothes and white sneakers.

In this case, Google location data received pursuant to legal process showed that a device associated with the email address [redacted]@gmail.com" was on U.S. Capitol Grounds, or within the U.S. Capitol building itself, from 1:17:41 PM EST to 3:43:27 PM EST.

Pursuant to legal process served on Google on or about October 6, 2023, Google produced subscriber information for the account [redacted]@gmail.com" which identified KEVIN ALSTRUP as the owner of the account.

FBI personnel conducted research on ALSTRUP through social media queries, law enforcement databases, and open-source databases. These efforts returned results including a District of Columbia driver's license with ALSTRUP's name, address, date of birth, and a photograph, as well as other public records with ALSTRUP's address, date of birth, and social security number.

Through its investigation, FBI personnel obtained information that ALSTRUP was employed by the United States Department of State (USDOS) as a Diplomatic Security Officer (DSO). FBI personnel also determined that ALSTRUP, as part of his employment, is familiar with providing security and protection for high-ranking government officials or sensitive locations, like embassies.

After determining that ALSTRUP was employed by the USDOS, FBI personnel provided photographs of the individual believed to be ALSTRUP at the U.S. Capitol on January 6, 2021 to one of ALSTRUP's USDOS supervisors. This supervisor, who works with ALSTRUP on a regular

basis, confirmed that the images from the FBI investigative file were of ALSTRUP at the U.S. Capitol. During its investigation, the FBI obtained a copy of the photo from ALSTRUP's USDOS identification card, shown in Image 1 below.

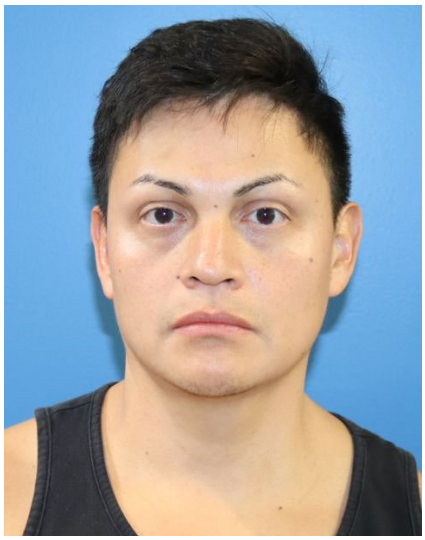

Image 1 (ALSTRUP's USDOS ID Card Photograph)

ALSTRUP's Conduct at the U.S. Capitol on January 6, 2021

While gathering and reviewing the video and photographic materials detailed below, this affiant viewed video and photographs that capture ALSTRUP holding a digital camera and what appears to be a digital device or cellphone. In addition, records produced by Meta indicate that ALSTRUP posted at least two videos to his Instagram account that were captured live by a digital device in his possession while he was on the U.S. Capitol Grounds on January 6, 2021.

Specifically, the two images below ("Image 2" and "Image 3") are screenshots from these two videos posted to ALSTRUP's Instagram account which were streamed live to ALSTRUP's account on January 6, 2021. Image 2 shows the steps on the Capitol's east side. Police officers appear between the Capitol steps and a crowd behind a bike-rack barrier. Image 3 shows a crowd near the Capitol's northwest steps and scaffolding. Both videos demonstrate that ALSTRUP was present at the U.S. Capitol on January 6, 2021. Further, Image 2 demonstrates the obvious presence of barriers outside of the U.S. Capitol building, which marked the restricted area.

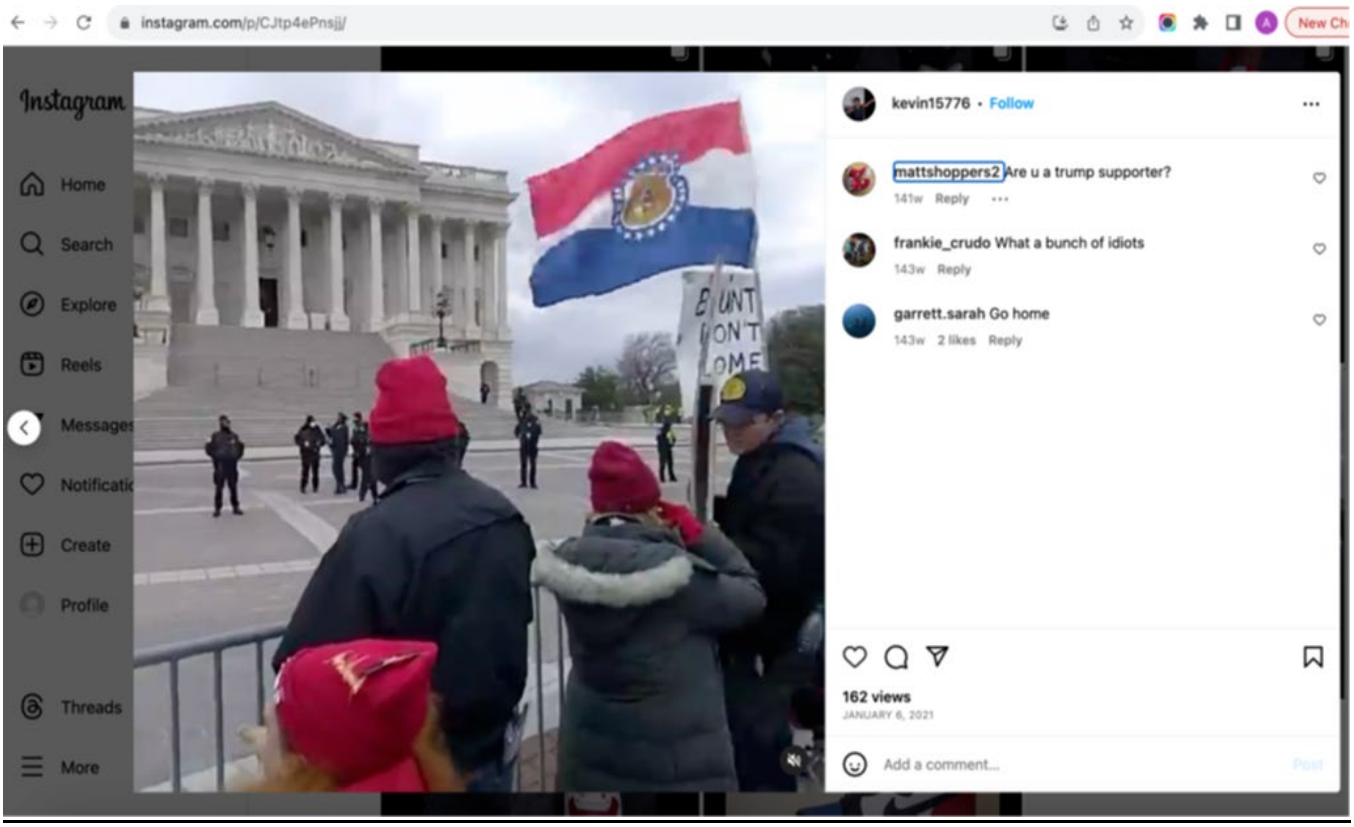

Image 2

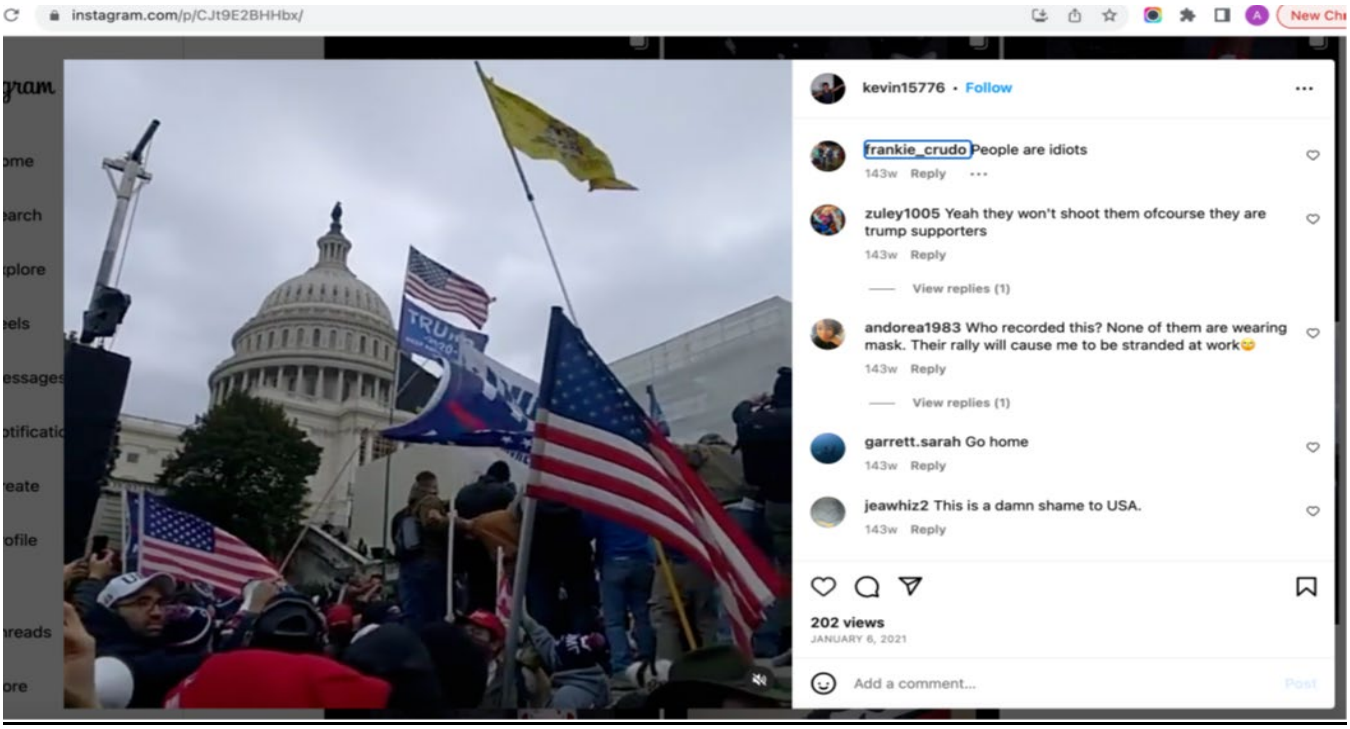
instagram.com/p/CJt9E2BHHbx/
kevin15776 · Follow
frankie_crudo People are idiots
143w Reply
zuley1005 Yeah they won't shoot them ofcourse they are trump supporters
143w Reply
View replies (1)
andorea1983 Who recorded this? None of them are wearing mask. Their rally will cause me to be stranded at work
143w Reply
View replies (1)
garrett.sarah Go home
143w Reply
jeawhiz2 This is a damn shame to USA.
143w Reply
202 views
JANUARY 6, 2021
Add a comment...

Image 3

U.S. Capitol surveillance footage and open-source video captured ALSTRUP entering the U.S. Capitol at approximately 3:05 PM EST through the Senate Wing doors. By the time ALSTRUP entered the U.S. Capitol building, rioters had forced open the Senate Wing doors and broken multiple windows on either side of the doors. In fact, as demonstrated below, (see Images 14-15), after he entered the Capitol, ALSTRUP took photographs of rioters entering and leaving the building through broken windows. ALSTRUP spent approximately 28 minutes inside the U.S. Capitol building before exiting at approximately 3:33 PM EST through the Senate Wing doors. Based on surveillance footage, ALSTRUP (circled in yellow) took photos with his camera, before walking down the Senate Wing Corridor towards the Crypt (see Images 4-7 below).

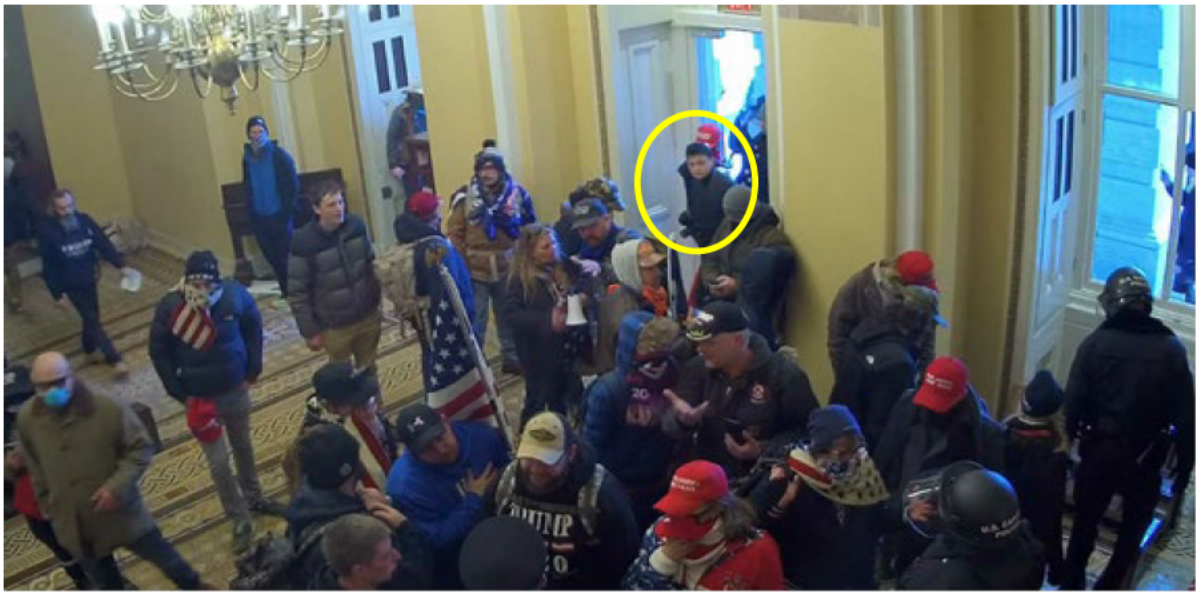

Image 4

Image 5

Image 6

Image 7

According to CCTV footage, from approximately 3:06 PM EST to 3:21 PM EST, ALSTRUP (circled in yellow) remained in the U.S. Capitol Building's Crypt. Capitol surveillance footage captured ALSTRUP's unauthorized presence in the Crypt, taking photos with his camera

and observing the crowd. At approximately 3:21 PM EST, based on CCTV footage, ALSTRUP left the Crypt. (see Images 8-12 below).

Image 8

Image 9

Image 10

Image 11

Image 12

According to open-source video, while he was in the U.S. Capitol Building's Crypt, ALSTRUP used a mobile device. (see Image 13 below, which is a still image from a video).

Image 13

A few moments after leaving the Crypt, ALSTRUP appeared in and around the lobby adjacent to the Senate Wing doors. Based on open-source materials and surveillance footage, ALSTRUP was in and around the lobby adjacent to the Senate Wing doors from approximately 3:28 PM EST to 3:33 PM EST. In the following screenshots, ALSTRUP (circled in yellow) is seen moving around the lobby and continuing to take photos of the surrounding activity—which included individuals entering and exiting the lobby through a broken window (see Images 14-17 below). The source video for these screenshots (Images 14-17) also recorded, while ALSTRUP was in the lobby adjacent to the Senate Wing doors, alarms that audibly and continuously sounded and a U.S. Capitol Police officer who orally ordered rioters out of the building and gestured for them to leave.

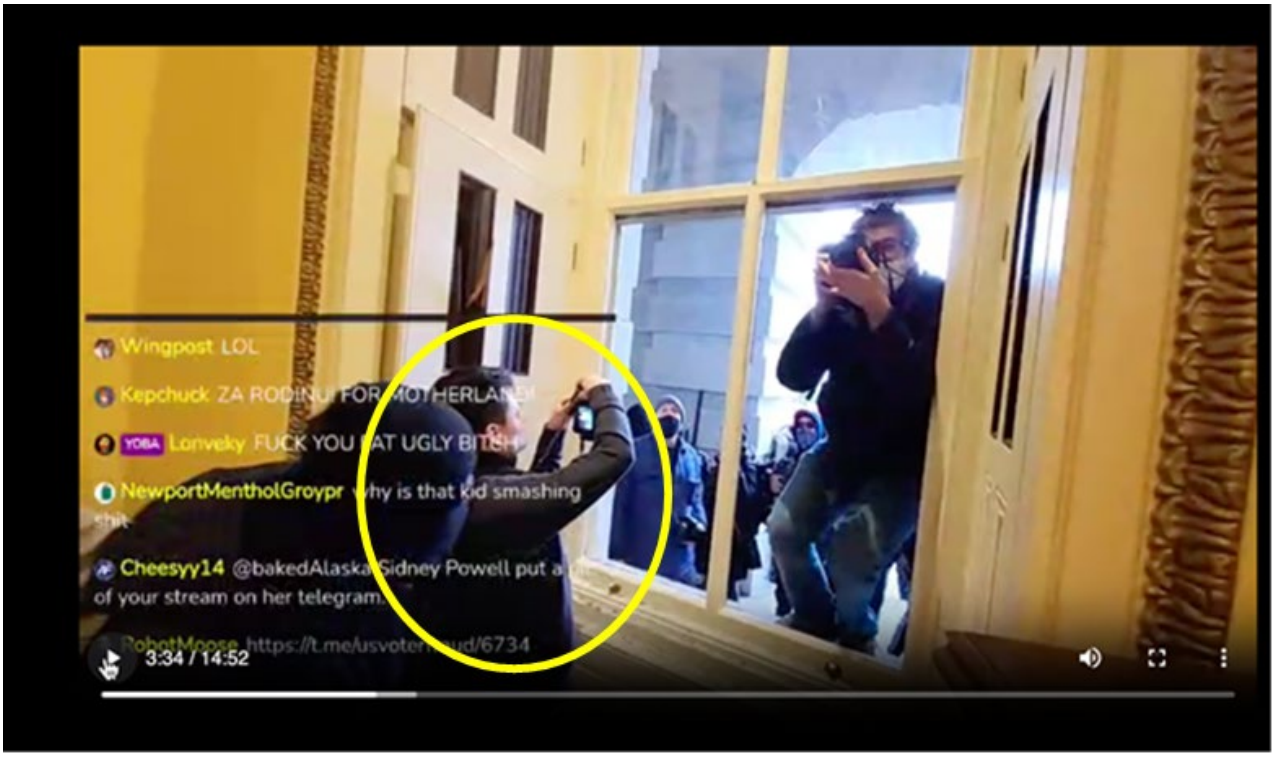

Image 14

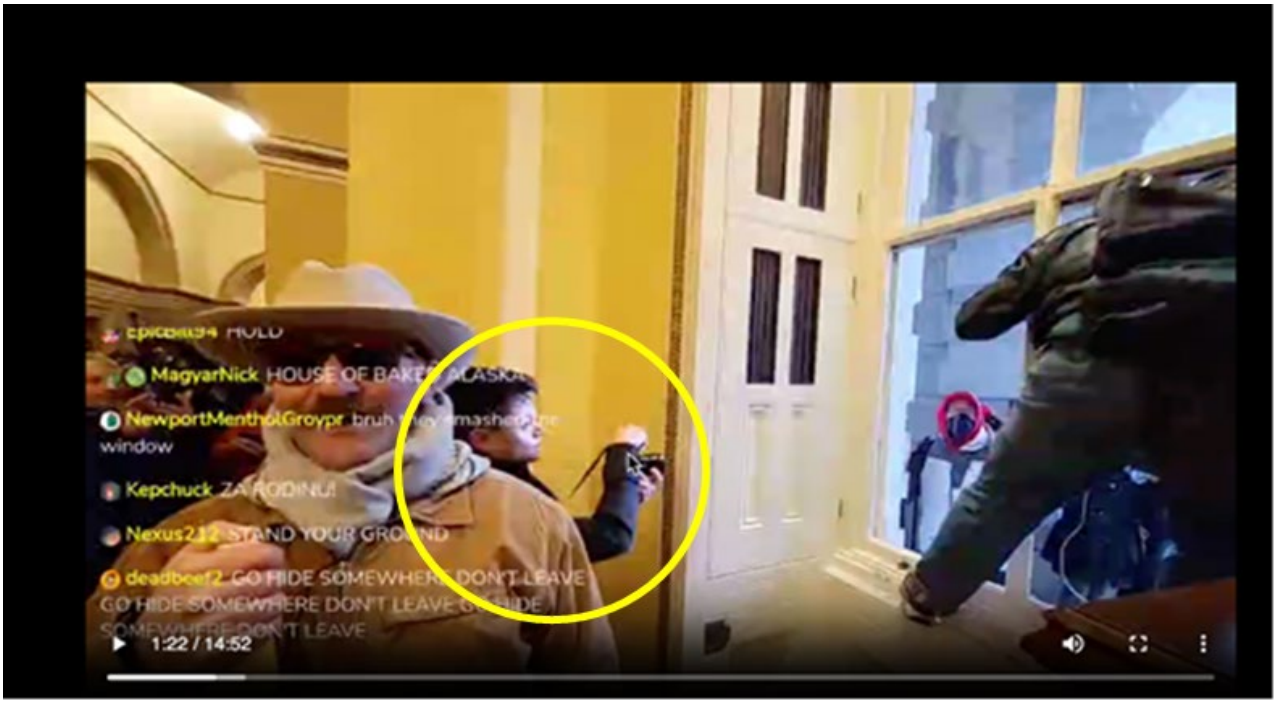

Image 15

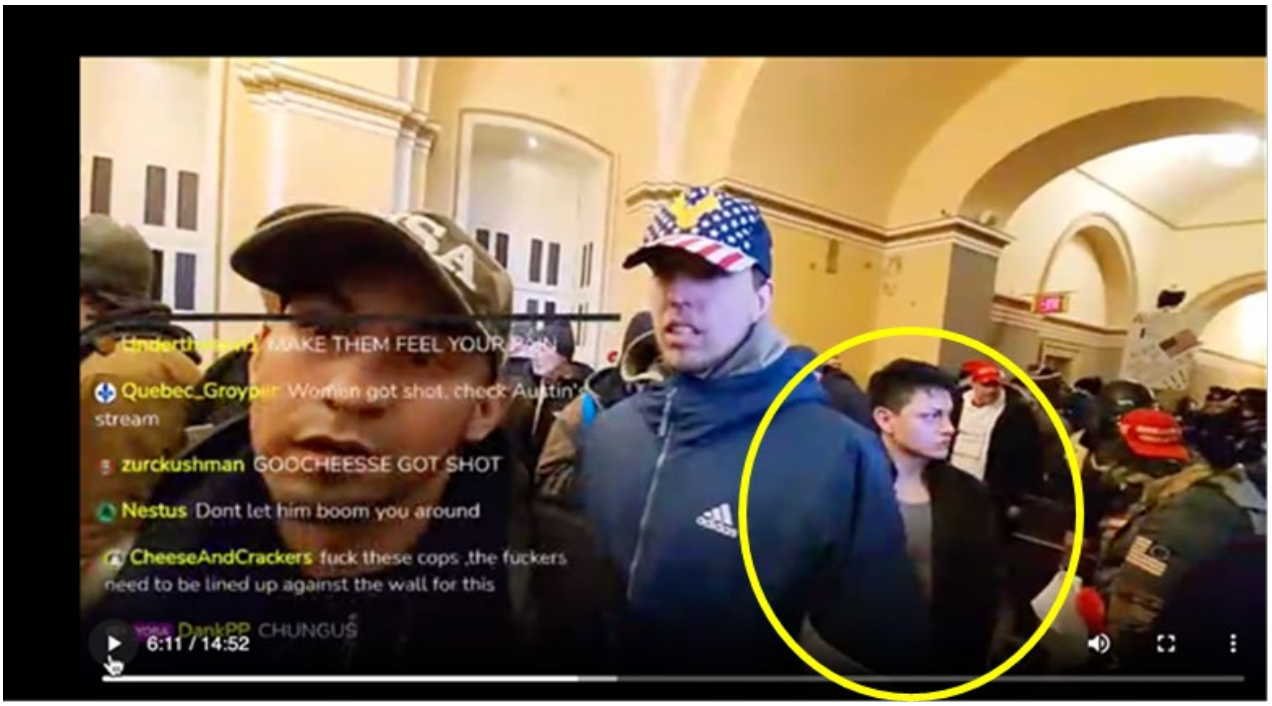
MAKE THEM FEEL YOUR PAIN
Quebec_Groyper Woman got shot, check Austin's
stream
zurckushman GOOCHEESSE GOT SHOT
Nestus Dont let him boom you around
CheeseAndCrackers fuck these cops ,the fuckers
need to be lined up against the wall for this
DankPP CHUNGUS
6:11 / 14:52

Image 16

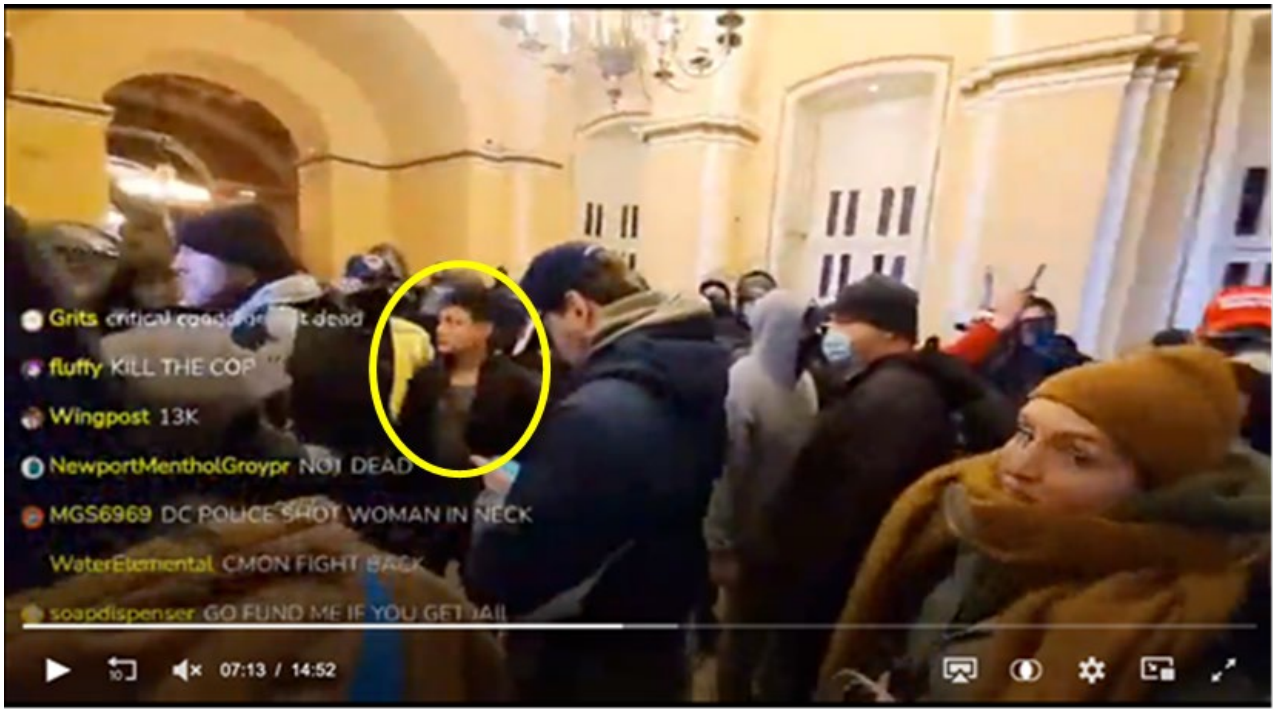
fluffy KILL THE COP
Wingpost 13K
NewportMentholGroypr NOT DEAD
MGS6969 DC POLICE SHOT WOMAN IN NECK
WaterElemental CMON FIGHT BACK
soapdispenser GO FUND ME IF YOU GET JAIL
07:13 / 14:52

Image 17

According to U.S. Capitol CCTV footage, ALSTRUP (circled in yellow) walked out of the U.S. Capitol Building through the Senate Wing doors at approximately 3:33 PM EST (see Images 18-19 below).

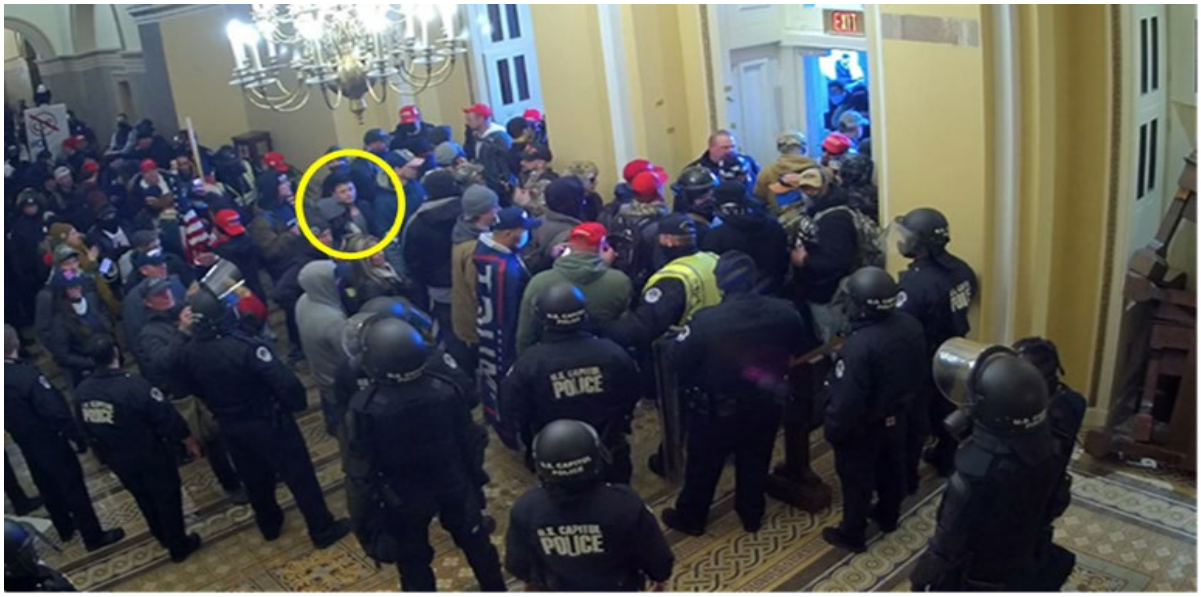

Image 18

Image 19

ALSTRUP was later captured on at least two law enforcement officers' body worn cameras leaving the area of the Senate Wing doors at approximately 3:37 PM EST and proceding towards the northwest section of the restricted area immediately outside of the U.S. Capitol building (see Images 20 and 21 below).

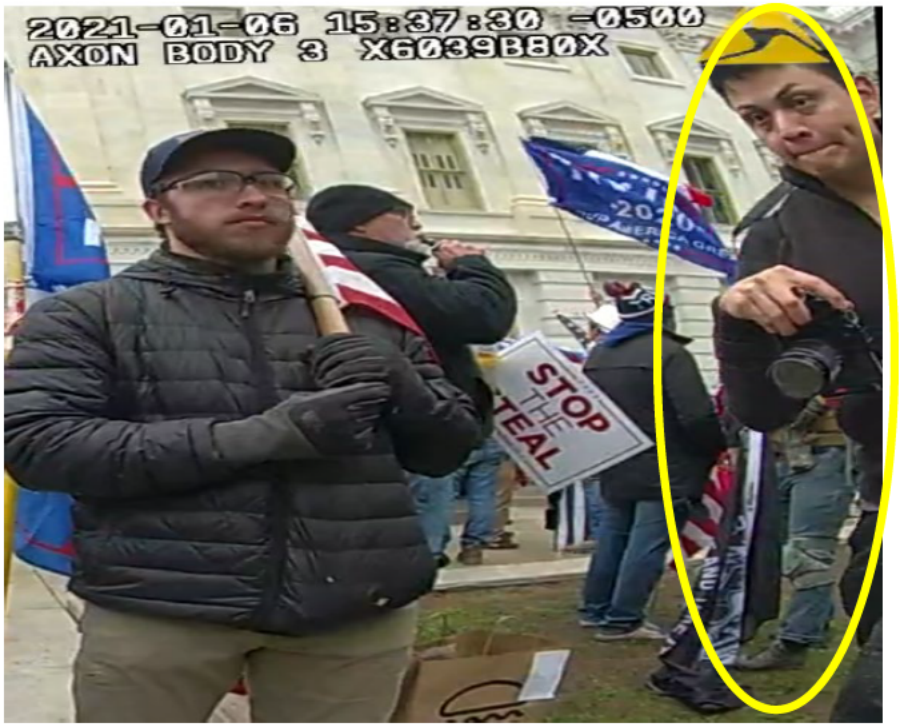

Image 20

Image 21

Based on the foregoing, your affiant submits that there is probable cause to believe that KEVIN ALSTRUP violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do so; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a "restricted building" includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Your affiant submits there is also probable cause to believe that KEVIN ALSTRUP violated 40 U.S.C. § 5104(e)(2) (D), and (G), which makes it a crime to willfully and knowingly; (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or

disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.

[redacted]

Special Agent [redacted]
FBI Joint Terrorism Task Force

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 2nd day of February 2024.

G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE